

INTERRUPTION TO COMMITTEE PROCEEDINGS

**HOME AFFAIRS
COMMITTEE****First Special Report****INTERRUPTION TO COMMITTEE PROCEEDINGS**

Report, together with the
Proceedings of the Committee

*Ordered by The House of Commons to be printed
13 December 1993*

LONDON: HMSO

£1.45 net

The Home Affairs Committee is appointed under Standing Order No 130 to examine the expenditure, administration and policy of the Home Office and associated public bodies; the policy, administration and expenditure of the Lord Chancellor's Department (including the work of staff provided for the administrative work of courts and tribunals, but excluding consideration of individual cases and appointments); and administration and expenditure of the Attorney-General's Office, the Treasury Solicitor's Department, the Crown Prosecution Service and the Serious Fraud Office (but excluding individual cases and appointments and advice given within government by Law Officers).

The Committee consists of 11 Members. It has a quorum of three. Unless the House otherwise orders, all members nominated to the Committee continue to be members of it for the remainder of the Parliament.

The Committee has power:

- (a) to send for persons, papers and records, to sit notwithstanding any adjournment of the House, to adjourn from place to place, and to report from time to time;
- (b) to appoint specialist advisers either to supply information which is not readily available or to elucidate matters of complexity within the Committee's order of reference;
- (c) to communicate to any other committee appointed under the same Standing Order (or to the Committee of Public Accounts) its evidence and any other documents relating to matters of common interest;
- (d) to meet concurrently with any other such committee for the purposes of deliberating, taking evidence, or considering draft reports.

The Committee has the power to appoint one sub-committee and to report from time to time the minutes of evidence taken before it. The sub-committee has power to send for persons, papers and records, to sit notwithstanding any adjournment of the House, and to adjourn from place to place. It has a quorum of three.

The membership of the Committee since its nomination on 13 July 1992 is as follows:

Sir Ivan Lawrence
(elected Chairman 15 July 1992)

Mr Donald Anderson
(added 26 October 1992)
Mr David Ashby
Mr Gerald Bermingham
Mr Hartley Booth
(discharged 30 November 1992)
Mr Peter Butler
Mr Edward Garnier

Mr John Greenway
Dame Jill Knight
(added 30 November 1992)
Mr Chris Mullin
Mr Mike O'Brien
Mrs Barbara Roche
Mr Keith Vaz
(discharged 26 October 1992)

FIRST SPECIAL REPORT

INTERRUPTION TO COMMITTEE PROCEEDINGS

The Home Affairs Committee has agreed to the following Special Report:

1. At its meeting on Wednesday 8th December 1993 the Committee took evidence from three separate groups of witnesses. The third group to be heard was Searchlight Information Services for whom the lead witness was its Chairman, Mr Gerry Gable. After the witnesses had been called to the witness table, and while Mr Gable was introducing his fellow witnesses, a person in the public gallery stood up and declared that he intended to serve a writ on Mr Gable. He then presented Mr Gable with an envelope. He was immediately escorted from the Committee Room and the House by a police officer.

2. We have since taken steps to establish that the allegations in the writ concerned matters alleged to have been published by Searchlight relating to the person serving the writ. It is not for this Committee to judge whether for the purposes of the Courts the writ was validly served. What concerns us is whether there has been a breach of the privileges of this House. We note that

“serving or executing civil or criminal process within the precincts of either House while the House is sitting without obtaining the leave of the House is a contempt¹”.

We are therefore in no doubt that what occurred was a contempt of the House.

3. In considering the appropriate course of action for us to take we are mindful of the decision of the House expressed in its approval of the Third Report of the Committee of Privileges of Session 1976-77 that

“the House should follow the general rule that its penal jurisdiction should be exercised (a) in any event as sparingly as possible, and (b) only when the House is satisfied that to exercise it is essential in order to provide reasonable protection for the House, its Members or its officers, from such improper obstruction or attempt at or threat of obstruction as is causing, or is likely to cause, substantial interference with the performance of their respective functions²”.

We have also taken note of the fact that the writ was taken out and served in a personal capacity and not by solicitors acting on the person's behalf. Finally, recognising the importance of protecting the work of Select Committees of this House, and the witnesses who appear before them, we have noted that the allegations contained therein do not relate in any way to the work of the Committee (or to the House).

4. We consider it to be important that the rights and dignity of the House are preserved. This principle has been upheld by the Committee of Privileges in a number of cases of this kind, most recently in 1972-73³. We have therefore thought it right to bring this matter to the House's attention in the knowledge that it will wish to be vigilant against any further such occurrences. However, in the circumstances of this case, and for the reasons indicated in the preceding paragraph, we do not consider that any useful purpose will be served by taking the matter further. We accordingly make no recommendation for further action.

¹Erskine May, Parliamentary Practice, 21st Edition p. 125.

²HC, 1976-77, 417; Commons Journal, 6th February 1978, p. 170.

³First Report from the Committee of Privileges 1972-73, HC 144, paragraph 4.

PROCEEDINGS OF THE COMMITTEE RELATING TO THE REPORT

MONDAY 13 DECEMBER 1993

Members present:

Sir Ivan Lawrence, in the Chair

Mr Donald Anderson
Mr David Ashby
Mr Peter Butler
Mr Edward Garnier
Mr John Greenway

Dame Jill Knight
Mr Chris Mullin
Mr Mike O'Brien
Mrs Barbara Roche

Draft Special Report, proposed by the Chairman, brought up and read.

Ordered, That the draft Special Report be read a second time paragraph by paragraph.

Paragraphs 1 to 4 read and agreed to.

Resolved, That the Report be the First Special Report of the Committee to the House.

Ordered, That the Chairman do make the Report to the House.

ISBN 0-10-210794-7

